

REMARKS

No claims have been canceled by way of this response. Applicants have amended claims 5-7 and 10, thus, claims 5-10 are currently pending and presented for examination. Applicants respectfully request reconsideration and allowance of the pending claims view of the foregoing amendments and the following remarks.

Response to Rejections Under Section 102:

Claims 5-10 stand rejected under 35 U.S.C § 102(b), the Examiner contending that these claims are anticipated by Bosch (DE 100 16 900). The Examiner has stated that he has considered the Bosch abstract in light of the comments and rejections of the PCT examiner based upon the PCT priority claims which are similar to the claims now pending and were determined by the PCT examiner to be anticipated by Bosch.

Specifically, the Examiner has stated, "...the abstract of Bosch seems to imply that the energization is changing as the applicant claims and that the reference anticipates the current claims." The Examiner has the burden of identifying each and every claimed limitation in the prior art reference either explicitly, implicitly or inherently to sustain a §102(b) rejection (MPEP 2131) - not impliedly identifying the limitations in the reference, as the examiner has done in the instant Office Action.

Notwithstanding the above, Applicants respectfully contend that the Bosch abstract does not anticipate the claimed invention.

The Bosch abstract recites regulating a pressure in a fuel supply accumulator via a valve controlled by the stored fuel pressure and an electric signal that is calculated based on data such as high pressure flow and fuel density where the stored relationships between valve flow, electric signal and stored pressure speed up the calculation.

However, Applicants claims 5 and 10 recite a method for controlling a fuel pressure in a fuel supply device by determining an actuating signal as a function of the desired fuel pressure and a variable selected from the group consisting of: a dynamics of a flow of fuel through the regulator valve, a variation in a fuel flow rate and a variation in the fuel pressure being used, not as a function of high pressure flow and fuel density as recited above in the Bosch abstract.

In view of the above, claims 5 and 10 are not anticipated by Bosch. Furthermore, Claims 6-9 which depend on claim 5 are also patentable at least based on their dependence from claim 5

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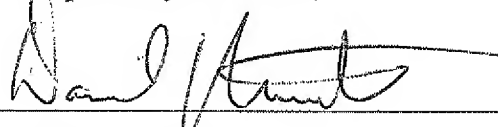
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as well as based on their own merits. Therefore, Applicants respectfully request that the Examiner withdraw the Section 102 rejections and allow claims 5-10.

Conclusion

For the foregoing reasons, it is respectfully submitted that the rejections set forth in the outstanding Office Action are inapplicable to the present claims. All correspondence should continue to be directed to our below-listed address. Accordingly, Applicants respectfully request that the Examiner reconsider the objections and rejections and timely pass the application to allowance. Please grant any extensions of time required to enter this paper. The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including fees for additional claims and terminal disclaimer fee, or credit any overpayments to Deposit Account No. 19-2179.

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